

**Introduced by Senator Harman
(Principal coauthor: Senator Cox)**

February 5, 2007

An act to add Section 14218.3 to the Elections Code, relating to elections.

LEGISLATIVE COUNSEL'S DIGEST

SB 173, as introduced, Harman. Elections: voting identification.

(1) Existing law requires a person desiring to vote to announce his or her name and address to a precinct board member and to write them on the roster of voters.

This bill would additionally require a voter to present proof of his or her identity to a member of the precinct board before receiving a ballot. It would specify the documents that may be used for this purpose and would authorize any other form of identification that the Secretary of State deems appropriate. It would permit a voter who is unable to present proof of identity to cast a provisional ballot.

This bill would require the Secretary of State to establish a task force, consisting of representatives from various organizations, to assist in implementing these provisions.

The bill, by requiring county elections officials to develop procedures to implement these provisions, would impose a state-mandated local program.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 14218.3 is added to the Elections Code,
2 to read:

3 14218.3. (a) A voter shall present proof of his or her identity
4 to a member of the precinct board before receiving a ballot.

5 (b) Proof of identity may be established by presenting any of
6 the following documents:

7 (1) A California driver's license.

8 (2) A California identification card.

9 (3) A military identification card.

10 (4) A Certification of Citizenship or a United States passport
11 issued by the federal government.

12 (5) A copy of a birth certificate.

13 (6) Any other form of identification that the Secretary of State
14 deems appropriate.

15 (c) The Secretary of State shall establish a task force to assist
16 in implementing this section. The task force shall include
17 representatives from organizations that advocate for senior citizens,
18 the disabled, and voting rights. The task force shall assist the
19 Secretary of State in implementing outreach efforts to assure that
20 all eligible voters in this state have the ability to obtain at a minimal
21 cost the documents required by this section.

22 (d) A voter who is unable to present proof of his or her identity,
23 as required by this section, shall be entitled to vote a provisional
24 ballot, as provided in Section 14310.

25 SEC. 2. (a) The Legislature finds that the procedure under
26 current law requiring a voter to announce his or her name to a
27 precinct board member before receiving a ballot and allowing a
28 precinct board member to challenge a potential voter on specified
29 grounds is insufficient to ensure against voting fraud because the
30 potential for, and consequences of, abuse are too great.

31 (b) The Legislature has investigated many other methods to
32 eliminate voting fraud, and finds that each of the other methods is
33 more drastic than the method proposed by this act. Because the

1 current law is ineffective to ensure against voting fraud, the
2 Legislature finds that the method proposed by this act is the least
3 drastic means available.

4 (c) The Legislature finds that Section 1 of this act is necessary
5 to protect the integrity of the voting process, and by establishing
6 additional procedures to reduce voting fraud, this act serves a
7 compelling state interest and its provisions are narrowly tailored
8 to achieving these objectives.

9 [PU 20030AB__024799INT S2] [PU 20050SB__022699INT
10 S2]

11 SEC. 3. If the Commission on State Mandates determines that
12 this act contains costs mandated by the state, reimbursement to
13 local agencies and school districts for those costs shall be made
14 pursuant to Part 7 (commencing with Section 17500) of Division
15 4 of Title 2 of the Government Code.